

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-- against --

BARRY C. HONIG, JOHN STETSON,
MICHAEL BRAUSER, JOHN R. O'ROURKE III,
MARK GROUSSMAN, PHILLIP FROST,
ROBERT LADD, ELLIOT MAZA, BRIAN KELLER,
JOHN H. FORD, ALPHA CAPITAL ANSTALT, ATG
CAPITAL LLC, FROST GAMMA INVESTMENTS
TRUST, GRQ CONSULTANTS, INC.,
HS CONTRARIAN INVESTMENTS, LLC,
GRANDER HOLDINGS, INC., MELECHDAVID,
INC., OPKO HEALTH, INC.,
SOUTHERN BIOTECH, INC., and
STETSON CAPITAL INVESTMENTS INC.,

Defendants.
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18 Civ. 8175 (ER)

ECF CASE

STIPULATION AND [PROPOSED] ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, Securities and Exchange Commission, and Defendant, Alpha Capital Anstalt, through their respective attorneys, that:

1. Defendant Alpha Capital Anstalt ("Alpha") acknowledges receipt and proper service of the Summons and Complaint in this action.

2. Defendant Alpha shall move, answer or otherwise respond to the Complaint on or before January 7, 2019.

Dated: New York, NY
October 16, 2018

ALPHA CAPITAL ANSTALT

By: 
Andrew J. Levander

Dechert LLP
1095 Avenue of the Americas
New York, NY 10036
212.698.3500

Attorneys for Defendant Alpha Capital
Anstalt

SECURITIES AND EXCHANGE
COMMISSION

By: 
Nancy A. Brown

200 Vesey Street
Suite 400
New York, NY 10281
212.336.1023

Attorneys for Plaintiff Securities and Exchange
Commission

SO ORDERED:

UNITED STATES DISTRICT JUDGE